

BOARD OF DESIGN REVIEW MINUTES

November 9, 1999

CALL TO ORDER: Chairman David Williams called the meeting order at 6:30 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL: Present were Chairman David Williams; Board Members Hal Beighley, Renee Cannon, and Stewart Straus. Anissa Crane and Walter Lemon were excused.

Staff was represented by Associate Planner Colin Cooper, Senior Planner William D. Roth, Senior Planner John Osterberg, and Recording Secretary Cheryl Gonzales.

Chairman Williams read the format for the meeting and asked for any non-agenda items and hearing none then asked if there were any disqualifications, there were none. He then asked if anyone wished to ask for a continuance to a later date?

NEW BUSINESS:

A. BDR99027 - JESUIT HIGH SCHOOL SOFTBALL FIELD

Request for Design Review Approval for a new softball field, accessory buildings and grandstand on property located east of Jesuit High School. The proposed softball field site is located on Apple Way at Assessor's Map number 1S1-14AD, Tax Lot 2800. The proposal also includes grading of the site, field lighting, and a portion of a cross-country trail around the field. No additional parking is proposed. The site is within the Commercial Service zone, and is approximately 2.2 acres in size.

Mr. Bill Roth stated the applicant had requested a continuance for consideration of the Jesuit High softball field until December 16, 1999.

Mr. Beighley MOVED and Mr. Straus SECONDED a motion to grant a continuance to BDR99027, JESUIT HIGH SCHOOL SOFTBALL FIELD, until December 16, 1999.

The question was called and the motion CARRIED unanimously.

OLD BUSINESS:

Chairman Williams explained that the decision before the Board was a limited land use decision. He explained what it was, what it was subject to and the appeal procedures.

A. BDR99079/TPP99005 - POORMAN DOUGLAS PARKING

Request for approval of a parking lot addition for the Poorman Douglas building, located at 10300 SW Allen Boulevard. The proposal includes placement of the parking lot addition of approximately 100 parking spaces at the rear of the existing building on the southern portion of the site, constructing another entry into the building adjacent to the proposed parking addition and associated landscaping. The applicant also requests approval of a Tree Preservation Plan, TPP 99003, because the site contains trees identified as Grove 12 on the City's Inventory of Significant Trees. The site is within the Industrial Park (IP) zone and is approximately 8.42 acres in size. Map 1S1-23BB; Tax Lot 300.

Mr. Bill Roth clarified that the agenda was incorrect, the TPP number was 99005 not 3.

Mr. Roth stated the request for approval of a parking lot addition for the Poorman Douglas building. The proposal includes placement of a parking lot addition of approximately 100 spaces at the rear of the existing building on the southern portion of the site and construction of an entry into the building adjacent to the proposed parking addition and associated landscaping.

In addition, the applicant also requests approval of a tree preservation plan because the site contains significant trees identified as Grove 12 on the City's inventory. The site is approximately 8.42 acres. The staff worked with the applicant and recommended removing of some fill material that is in the wetlands and in part of the grove, the applicant took this action and incorporated water quality in that area. After staff review and site visits with the arborist and the applicant, it was determined that removal of the trees in the proposed location was, as far as impacting the site, proposed the least impact and staff recommended approval, subject to the conditions identified within each Staff Report. Mr. Roth stated these were two separate actions and needed two separate motions.

APPLICANT:

JEFF BAKER 10300 Allen Blvd., Beaverton, OR 97005, stated he was President of Poorman Douglas and introduced his supporting cast, Gary Miller, who is the project manager, his architect, Bob Zany, arborist and Gregory Kurahashi Engineer.

GARY MILLER 10300 SW Allen Blvd., Beaverton, OR 97005, began the presentation stating that for the past 11 months they had worked very closely with the City Planner's findings and worked hard to achieve their design. The challenges with the project were to increase the parking space which was really needed, fit to the rear of the building and visually having very minimal impact except if you were standing in the school parking lot looking to the west. They were sensitive to the grove of trees. The concept of the parking lot was to minimize the footprint and utilize the existing part of the parking lot and making it smaller. Gradually working to the east would get the 100 spaces they needed. This was done to make the imprint of the parking lot as small as possible. They worked very carefully with an arborist throughout the process. The design ensured the preservation of the most healthiest grove of those trees and provided a canopy for the wildlife. The area will be enhanced by making the water quality and the wetlands area will be increased in size with plantings of native species. They worked closely with the neighborhood association and provided tours of their facility.

Mr. Baker noted that the neighbors across the creek had experienced flooding during the worst of 1990s and as part of this process they were actually taking some of the dirt that had been

pushed back there by prior construction projects and moving it away, to give more opportunity for flood waters to come back into the wetlands area.

Mr. Straus asked about the area defined as wetlands swale/wetlands buffer that runs through what is becoming the parking area, was that something that was created in the earlier part of the development of this site for drainage from the development? He stated it did not look like a natural feature the way it was laid out.

GREGORY KURAHASHI 15580 SW Jay St. Ste. 200, Beaverton, OR 97006 of Kurahashi and Associates, Inc., stated that the berm area was not natural, it was part of an old fill of a past project to build a water holding pond. It was to reduce the height of that fill a little bit by putting the holding pond in there. He was not sure how early the field was placed.

Mr. Straus was trying to determine whether the new water quality feature is being done as mitigation for what is defined as a wetlands that is being removed. Mr. Kurahashi believed he was talking about the impact that they had on the wetlands, this small swale that runs through the property that was defined as wetlands.

Mr. Straus said he was referring to the one running north/south that almost looked like a rectangular shaped area would have been created as a drainage way from the building, not something that would occur naturally.

Mr. Kurahashi said that was correct. It was identified by the Division of State Lands as a wetlands in the process of looking at the overall site. It was really kind of a very, very small swale that occurred on the site that was defined by them as part of a wetlands. The work that they are doing down in the corner of the property where the water quality facility is being built is not to mitigate for that wetlands impact. The wetlands impact itself is less than 50 cubic yards and would be considered by the jurisdiction we feel at this point in time is not significant. Although they were lowering areas adjacent to the existing wetlands site, it was not specifically for mitigation at this point in time. It may become mitigation if the agency requires mitigation. They had done things in that corner to make it suitable to a mitigation site, but not at this point.

Mr. Straus noted the designated future bike path or whatever it was to be, appears to run along the edge of the water quality feature. He asked what that would be, as the grades were fairly steep in that area; would it need to be a bridge of some kind? Mr. Kurahashi responded by saying that when he looked at the overall grading and evaluated what he needed to do, to get 5% grades on the facility, the contours were made to accomplish that. Where it crosses the west property line, there is a more defined swale drainage course headed from north to south and there will have to be either a culvert or a bridge structure to cross over the existing wetlands; probably some sort of pedestrian bridge.

Mr. Straus asked if he were obligated to put in anything at this time with this application? Mr. Kurahashi answered that as far as he knew, no, it was a future possibility.

Mr. Baker added that there were a lot of issues. Neighbors had concerns about flooding, the City had concerns about the trees. It had taken them quite a while to get to this point. It had taken a lot of work on the part of Poorman Douglas and their professionals, and it had also

been a lot of work for the City staff and he appreciated all that they had done and the time they had put in.

Chairman Williams commented that they had seen a lot of projects in that area recently, and had been looking at the same issues and knew what he was up against.

Mr. Roth asked to clarify the bike path issue. It was only required that it be illustrated that it was going across the property as part of another expansion they did on the front of their building. They were required to record an agreement between the property owner, Poorman Douglas and the City, that at such time that the bike path gets funded for the remaining segments and is under contract, then Poorman Douglas will build their portion of that path. It was not really a part of this action.

Chairman Williams closed the public portion of the hearing.

Mr. Straus MOVED and Mr. Beighley SECONDED a motion to approve BDR99079, POORMAN DOUGLAS PARKING, based on the testimony, reports and exhibits presented during the public hearing on the matter and on the public background facts, findings and conclusions found in the Staff Report dated October 28, 1999 including conditions 1 through 16.

The question was called and the motion CARRIED unanimously.

Mr. Straus MOVED and Mr. Beighley SECONDED a motion to approve TPP99005, POORMAN DOUGLAS ADDITION, based upon the testimony, reports and exhibits presented during the public hearing on the matter and on the public background facts, findings and conclusions found in the Staff Report dated October 28, 1999 including conditions 1 through 10.

The question was called and the motion CARRIED unanimously.

B. BDR99-00058 - PGE SUBSTATION

Request for Board of Design Review (BDR) approval for a PGE bulk power substation, approximately 52 feet in height, located northwest of the intersection of SW Murray Boulevard and SW Scholls Ferry Road, adjacent to the Bonneville Power Administration powerline right-of-way. The approximate five acre site is on Assessor's Map 1S1 32DA, Tax Lots 700 and 300, and is zoned Light Industrial and R-5 respectively. Access to the site is proposed to be off of SW Scholls Ferry Road within an easement across Assessor's Map 1S1 32DA, Tax Lot 800, which is property owned by Gramor, Oregon. The driveway would be along the western side of the existing office building abutting the BPA powerline right-of-way. The site currently has an electric power distribution substation on the northern end of the site and an office on the southern end. The proposed bulk power substation would be developed between these two existing facilities. BDR approval is being requested for elements associated with the bulk power substation, modifications to the office area, and additional landscaping.

Mr. Colin Cooper, Associate Planner, explained that the proposal was a PGE bulk power station at the existing site of another substation and the Oregon Analytical Laboratories. The proposal was for the power station which includes transformers, utility standards and a proposal

to redesign the parking lot and access driveways which is somewhat connected to the previously heard action for Gramor on the town center. The proposal required both the type 3 being heard but also a conditional use permit that was heard on September 15, 1999 by the Planning Commission and approved at that time with the conditions as recommended by staff. At the request of the applicant, PGE, the Planning Commission held a new public hearing to reconsider one of the conditions which had been to limit parking on the site. It was a somewhat voluntary condition, the applicant was asked if they would be party to it, they agreed and then realized that it was not something that actually worked for them. Staff was recommending approval with the conditions that they do not have any special conditions. The Planning Commission has asked the applicant, PGE, to contact all the residents on the western side of the PGE and Bonneville Power transmission line right-of-ways, and ask if they would like to have any landscaping placed in their yards. However, the residents there have been contacted about visual impacts of this site and most of the residents do not want to give up their views of the Cascade Range and have chosen not to actually have landscaping near their rear yards, so they were at this time not asking for any additional mitigation. There is existing landscaping along the western property line. There is no strong negative impact by the power substation. There had been no public input from the adjoining property owners because there had been so much good public outreach on the proposed development.

APPLICANT:

LARRY EPSTEIN 209 SW Oak St. #200, Portland, OR 97204, stated he represented PGE. He had reviewed the Staff Report and recommendations including the conditions of approval. They had no objections or corrections to make and they accepted the conditions that were recommended. He noted that he, the landscape architect and project manager were there and were available for any questions.

Chairman Williams noted that it was easier because they had just seen Gramor, seen the site and were aware of the conditions. He asked if there were any other questions for the applicant or items from the staff. As there was no additional input, the chairman closed the public portion of the hearing.

Mr. Straus MOVED and Ms. Cannon SECONDED a motion to approve BDR99-00058, PGE POWER SUBSTATION, based upon the testimony, reports and exhibits presented during the public hearing on the matter and on the public background facts, findings and conclusions found in the Staff Report dated September 23, 1999 including conditions 1 through 20.

The question was called and the motion CARRIED unanimously.

C. **APP99-00015 SOUTHWEST BIBLE CHURCH PARKING LOT**

The City has received a request for appeal of an administrative Type 2 Design Review decision. The request is for approval to construct a parking lot addition for the Southwest Bible Church, located at 14605 SW Weir Road. The proposal includes placement of the parking lot addition of approximately 190 parking spaces on the southern portion of the site, adding an approximately 700 square feet to an existing grounds maintenance building, and modifying access to Weir Road. The site is within the R-5 zone. The site is located at the northwest corner of

SW Weir Road and SW Murray Boulevard, and is approximately 24 acres in size. Map 1S1-29DD, Tax Lot 100.

Mr. John Osterberg explained that this item before the Board was an appeal of a previous Type 2 Design Review decision. Type 2 decisions are administrative and can be appealed to the Board of Design Review, which was the case in this matter. This was a request that was originally approved by the Facilities Review committee for a parking lot addition and that was the major element of the application but it also included some landscaping changes in addition to a maintenance building and some other changes as well. There was a relationship to this application and the original conditional use permit that was approved early in 1996. It originally approved multi-phases of expansion for Southwest Bible Church. The proposal being considered is for a parking addition, but with no building addition. The Staff Report addresses primarily the appellate's request for appeal and reviews those items contained within the appeal and explained those elements as well as referencing some of the conditions of approval of type 2 design review. The Type 2 Design Review findings are primarily contained within the Facilities Review conditions, although they were supplemented to some degree in the review of the appeal. Staff reviewed the appeal and has recommended denial of the appeal. The City had previously approved the type 2 request for the parking lot condition. The staff again reviewed the appeal and found that the original design review request that meets all the criteria for approval, therefore, the appeal should be denied. In addition to just simply recommending denial of the appeal, staff has findings that some additional conditions of approval are needed to clarify and add extra detail to a number of some previous conditions of approval that the Facilities Review Committee had adopted. He noted that those conditional and amended conditions on page 20-21 of the Staff Report, were an attempt to add clarity and more detail to conditions of tree preservation, fencing. It seemed like a rather specific element to have so much text about, but the more staff reviewed the issue, they did see a need for these conditions. He had a video of the site showing areas within the trees as well as some of the portions near the building and also from the vantage point of some of the subdivision neighbors.

Mr. Straus requested clarification on their role. If they supported the recommendation and deny the appeal, did that automatically allow the existing approval to stand? Mr. Osterberg answered yes, except as amended by the additional conditions on pages 20 and 21. Mr. Straus said because of the appeal of the previous action of the Board of Design Review was it reopened for further consideration? Mr. Osterberg replied, yes.

Mr. Straus asked where all the other conditions for approval were, or was that all there was? When the Board of Design Review action was taken administratively, were there conditions of approval that were attached to that or were there other conditions that were part of the administrative approval? Mr. Osterberg said there were other conditions and those were attached midway into the Staff Report packet. There was a type 2 notice of decision dated September 17, 1999 and that decision adopted the Facilities Review conditions of approval of September 15, 1999.

Mr. Straus noted that on page 8 and 9 the conditions of approval were listed 1 through 14. The conditions listed in today's report, are they expansions, changes, or replacements thereof?

Mr. Osterberg explained that the conditions of approval of the previous type 2 decision contained in the Facilities Review conditions would be adopted if the Board approved the staff

report and recommendations. For instance, on page 20, condition of approval #1 it said except as amended by the conditions below. He also noted that on page 21 of the Staff Report, between condition 3 and 4 there was a section where it said condition A9 of the original conditions would be replaced by new Board of Design Review conditions below, these are Board of Design Review conditions 4, 5 and 6. The subject matter of the conditions to amend and replace are related to preservation of the natural resource area, the preservation of trees both within and outside of the resource area and a number of those conditions include tree preservation, fencing details.

Ms. Cannon asked under the recommendation and conditions of approval, they were not listed as A, from the staff original report, this was confusing.

Mr. Osterberg noted that in the context of this item, the applicant was the appellant.

Mr. Straus noted there had been two other land use hearings related to this property, one was the original site development and then the major expansion that occurred, in reference to 1996; was it the major expansion or the original plan. Mr. Osterberg stated that in 1996 the Planning Commission approved the Conditional Use permit for a multiphase expansion. Each phase of the Southwest Bible Church had come before the Board of Design Review in the past, 1996 was the first. Mr. Straus asked if the other had come about 1998 and Mr. Osterberg said he thought that sounded right.

APPELLATE:

HEIDI EISK stated she had several concerns and had two additional comments on some of the conditions for approval. On page 3, of their objective, their neighborhood, which was Portlock Heights, was very concerned about the church's expansion plans. Their goal was to uphold and protect the integrity of their neighborhood and the surrounding area. They wanted to strive to create a balance between the church and neighborhood. They were interested in creating an environment that goes nicely with the surrounding community and protects the ecosystem for all livelihood to thrive in the future. The Southwest Bible Church parking lot addition would involve the removal of approximately 131 fully mature evergreen trees. The removal of these trees would minimize the wildlife that exist in that area. The trees currently provide the neighborhood with a privacy buffer from the freeway-like traffic conditions on Murray, both from a visual and sound perspective. The removal of those trees would provide those driving by on Murray a view of housing developments to the west on a hillside. This is not the theme of Murray Boulevard at all. Murray Boulevard is a well developed area that provides neighborhoods with privacy. It is also a well landscaped area with a consistent theme from SW Allen to SW Scholls Ferry Road. They felt that parts of the parking lot addition do not blend well with this theme, nor do they serve the best interest of the neighborhood and surrounding community. They most importantly do not comply with the criteria that governs the Board's decision. From a historical perspective, during the initial contact phase of the parking lot extension, Mr. Thomas Aylward sent a letter to the planning department on March 24, 1999. Mr. Aylward represents Southwest Bible Church. The applicant indicated that they were proposing 223 parking spaces and recognized the fact that 113 of those spaces would cross into the phase five geographical area shown on their original plan and asked for an administrative allowance. She had an attached copy as exhibit A. The church proposed construction for an area indicated for phase five parking when construction for that phase has

not yet been approved. In her conversation with Mr. Osterberg on this issue, he indicated that staff did not necessarily see parking associated with the proposed building phases. She found that very hard to believe, since a great deal of attention was focused on this area during the conditional use permit approval process. In the Staff Report, there is a copy of the Facility Review conditions of approval, dated March 20, 1996. Page 1 discussed the need to clarify the parking requirements. The Staff Report also contains a copy of the Planning Commission approval dated April 11, 1996. It states the Commission adopts the planning department's Staff Report dated March 27, 1996 as to criteria applicable to this request. This portion of the Planning Commission order was also upheld by the City Council on June 10 1996 during the TPP appeal process. The Staff Report dated March 27, 1996 was not in the Board's staff package but she wanted to review section E. She asked them to see exhibit C. Section E on site plan states the site plans shows the church facility improvements will be phased. Although the site plan depicts numbers of phases, timing of the phases are up to the applicant. Each individual phase will require a Board of Design Review application and will be conditioned appropriately. A conditional use permit is to 1) allow the overall church use within the urban standard density residential zone marked R5; 2) approved parking requirements for each phase of development; and 3) approved the limits of construction for each phase. The Staff Reports indicates that it is up to the discretion of the applicant to time the phases. However, it does not state that it is okay to arbitrarily change the perimeter of what was agreed upon in the approved parking phases for conditional use permit by constructing part of phase 5 parking with phase 3 parking. She went on by reading during the Conditional Use approval process, the applicant was to provide a master plan with a multiphase approach. They were asked to a different color marker and outline the perimeter of each phase. This master plan is no longer available, but she had some microfiche which was in black and white. She showed that the parking that they were proposing was definitely infringing on phase 5. The initial master plan indicated that it would be constructed over a 20 year time period. Residents who bought their homes in the neighborhood were told it would be about 10 years before they would be impacted by any additional church construction. She asked them to review the time line marked exhibit G. This information was used when making home buying decisions in that area. She went on to state that phase 3 construction happened in 1996 and that the ultimate expansion for phase 3 was 2006. Phase 4 classroom addition was ultimate year 2004 and phase 5 additional worship facility was ultimate year 2012. She showed they were asking to build phase 5 parking with phase 3. She spoke of a letter Mr. Osterberg sent Mr. Aylward on April 16, 1999 regarding the parking lot expansion.

She noted he stated that they could construct phase 3 parking that was previously approved under Board of Design Review 96038. Mr. Osterberg counted 207 spaces instead of 223 that Mr. Aylward had indicated. The proposed addition is 50% greater than their previously approved 381 spaces which would require a type 3 design review. She said that he had advised Mr. Aylward to pick up a neighborhood meeting information packet, this was marked exhibit B. She then said that the applicant had applied for a type 2 design review with 190 parking spaces, which is 1/2 parking spot of 50%, in order to avoid a neighborhood meeting and a public hearing in front of the Board of Design Review. Up to that point the church had not been challenged by the public. She had reviewed several of the hearing documents and she did not find any contentious points with the public. There were a few minor issues, but nothing serious. She said that filing for an appeal was not something they wanted to do. However, since this was a type 2 design review, it was their only option to have their concerns heard in front of the Board of Design Review. She believed it would be better if the church and the neighbors could work together, instead of apart as it would be beneficial for all parties in the long run. She said she had contacted the church in good faith to work with them on their

concerns. She had called Mr. Aylward the first week of September and explained to him that the neighborhood was very concerned about the parking lot addition. She asked if the opportunity existed for a group of neighbors to get together with the church and work out some solutions that would fit both their needs. She explained that she understood that they had a need to grow and did not want to turn it to an us versus them situation. She told them that she also understood they had created a master plan in 1995, approved in 1996 and that at the time the plan was created it fit nicely with the neighborhood. She said that a lot had changed since 1995, they now had new neighbors and environmental awareness was more important to them.

She asked if they could work together on their growth plan while reducing the impact to the environment and the surrounding area. She said that when she had finished, Mr. Aylward explained to her that they were founded in 1986, their goal was to spread the gospel and promote good Christians. He felt that both their short-term and long-term plans comply with the City. Therefore, he said, the concerns of the neighborhood do not need to be taken into consideration. As a church, they were obligated to meet their growth needs. She explained to him that they were concerned about the impact this would have on the market value of their homes. They had a home in the neighborhood that backs directly up to his property and has been on the market for nine months and has had a difficult time selling. When potential buyers find out the trees will be gone and will be able to watch the cars go by on Murray, they turn and walk away. Mr. Aylward then stated that by developing their land it would actually increase the value of their homes. Since she had found that hard to believe, she did not comment, but stated that they would continue to write their letters of concern to the City and no matter what happened in going forward, she wanted to leave the doors open to work together in the future to resolve their concerns. She stated that in talking to the neighbors there was a lot of positive feedback on coming up with solutions to address parking needs. They were in the letters of concern in the staff review packet. She realized that a master plan did exist and there was not much room for change. If they had been given the opportunity to work with the church on the parking lot addition through a neighborhood meeting, they would have had the opportunity to discuss the following recommendations:

- 1) Consider constructing phase 5 parking with phase 5 building.
- 2) Meet the requirements of designated carpool parking spaces as called in the conditions of approval.
- 3) Bring the current landscaping standards along Weir Road up to code as cited in Chapter 40, Section 10.15.2.C of the Development Code item E by replacing the landscaping on Weir Road to match the rest of the proposed development and provide planting materials of quality size and species identified on their original plan.
- 4) Help maintain a privacy buffer and wildlife habitat by maintaining the larger tree grove along the west edge of the parking lot. Accomplish this by redefining the edge of the parking lot to the existing nature trail and remove approximately 24 parking spaces.

They were not asking the applicant to decrease the number of parking spaces on the total building plan. The applicant indicated that an additional 3/4 of an acre has been reserved for parking, if needed, on the western edge of the athletic field as stated in the January 1996 narrative. By removing a few parking spaces next to the wetlands in order to maintain a greater tree grove, both the neighborhood and church would benefit in the long run. The neighborhood would be provided a buffer, and the church would increase the aesthetic appeal of their property. She said there was a copy of their proposal marked exhibit H. She went on to indicate that the nature trail was not indicated on any of their maps, however, upon walking on

the property, they had made a general assumption that this was basically where the nature trail lies. She wanted to review the design criteria and make comments to where they felt that the conditions could be approved to uphold the condition. She had reviewed several historical files.

It was her understanding that the requirements for the parking lot addition needed to comply with the design criteria and the conditions approval as required as part of the conditional use permit that was approved in 1996. She cited the Development Code Chapter 40, Section 10.15.2.C technical standard B. She commented though on pedestrian ways, by-ways, transit ways and other ways provided by the development to reduce congestion, conserve energy and resources. Car pooling was definitely another way as mentioned in the letter which was not addressed in their report. She referred to exhibit C, Staff Report dated March 27, 1996, page 23, section 7, states "provide preferential parking for carpools and vanpools, 5% of required parking spaces, located to provide most convenient access after mandatory handicap accessible spaces. She said that that comment also appeared on the phase 3 Board of Design Review 96038 Facility Review condition of approval dated May 8, 1996 on page 7. This was marked exhibit F. She stated that this condition of approval was not met in phase 3, nor was it being met with the concurrent proposal. They currently have handicap and visitor parking, no carpool or vanpool. She said that 19 spaces would need to be designated as carpool parking and with the addition of 190 spaces it would take the grand total up to 28 designated carpool spaces. Now they have 0. She said they were only asking the church be made to comply with original conditions that had been required and agreed to.

Next, she said that in the Facilities Review conditions of approval dated September 15, 1999, it states on page 2 that additional dedication improvements were not required for public streets. However, under the comprehensive plan designation on page 6 of the Staff Report, it indicates SW Weir Road was identified as a C1 major collector, requiring 66 feet of right-of-way and 42 feet of paved width. The C1 standard is intended to provide two travel lanes, a center left turn lane and no bike lanes. Weir Road currently does not have a center left turn lane near the entrance of the current driveway nor at the entrance of the proposed driveway. The majority of the congregation arrives and departs at the same time, a similar situation with the school. She was concerned that by adding 190 cars to the already existing 381 to Weir Road during their peak times would put members of the congregation in an unsafe situation without a center left turn lane. She felt that the center left turn lane should be required. She noted that on page 14 of the Staff Report there was a note to Weir Road improvement responsibility principal balance of \$37,180.60. She called Ms. Spinell in finance to find out what the funds would be applied for, hoping for a center left turn lane. She stated that this was back tax due from tax lot 100 in 1986. The Southwest Bible Church had not taken part in the improvement of Weir Road and now that they were moving on to a new tax lot, back taxes were due on the tax lot they had completed.

Next, she began with Chapter 40, Section 10.15.2.C technical standard G. They originally understood that drainage would run through the center of the parking lot and tied to existing catch basins. Upon further investigation, it was discovered this was not the applicant's proposal as indicated on Staff Report page 13. The grading plan indicates that surface drainage is designed to occur at the low part of the parking lot along the western edge. The surface flow water across the parking lot would generally be from north to south for the catch basin near Weir Road. The parking lot curving along the western edge would prevent untreated storm water from crossing into the wetlands buffer. She spoke with the Engineer Jim Duggan and indicated her concerns about surface run off towards the catch basin. In looking at the

elevations she could not see how during the heavy rain seasons, she could not see how the curving along the wetlands buffer would deflect the water and send it to the catch basin. She could not see how the catch basin could drain and treat a large volume of surface runoff without running over to the wetlands area. He had indicated that the applicant would put in additional catch basins that were not part of their original plan. She referred to exhibit I. She showed the elevation and grading, how unclear the run off was and how water would pool in several areas. She was also concerned about the steep grade along the wetlands buffer, especially when the ground was water soaked and asked about the geotechnical report was required as indicated in the technical advisory notes which were part of the conditions of approval March 20, 1996. This was exhibit D. He stated that the geotechnical support was not indicated as they were not constructing a building, they would though be required to provide specifications for grading and fill materials and recognized the steep grade and possibility for slides to occur, however small. She said that the technical advisory notes that on page 3, point 15 it states that it does require a geotechnical report.

She then moved on to the Development Code, Chapter 40, Section 10.15.2.C design standard C. She said Mr. Osterberg sent a letter to Mr. Aylward on April 16, 1999, and that on page 2 it stated that he assumed that the wetlands information shown on the attachment of their letter was from the time of the 1995 conditional use application. Please be aware that this information may be out of date and will not necessarily be accepted by the City as valid for future design review application. They could only use the 1995 wetlands delineation if it were analyzed by a wetlands biologist or other qualified persons and was deemed to still be correct. If not, then it must be amended by the biologist report to indicate which site conditions had changed and illustrate a revised delineation in the 25 foot wetlands buffer. She said this was marked exhibit B. She said there was a comment regarding the wetlands area that was mentioned in the design review document submitted as part of the application by the church on June 9, and revised June 29, 1999. That information was included in the Staff Report. Page 2 of the narrative states the existing natural resource wetlands area, with associated buffer zone, will be preserved. The wetlands boundary has been re-delineated along the western margin of the proposed parking lot addition. As mentioned above, all storm water will be treated before being discharged. The applicant had not mentioned when this information was analyzed by a wetlands biologist as requested by Mr. Osterberg. It appears that what Mr. Aylward was referring to was in reference to the report made in 1996. The delineation along the western margin was provided on January 11, 1996, by William Parks of the Oregon Division of State Lands. This was a document that was considered as part of their conditional use permit. This was marked exhibit J. The modified wetlands boundary was to the western margin by 40 feet. She said there was no up-to-date information on the wetlands area stating that it had been reviewed by a wetlands biologist and was deemed to still be correct. When she inquired about this matter with Mr. Alworth, he suggested she contact Mr. Duggan in engineering. In talking with Mr. Duggan, she asked if the 1996 delineation had been confirmed or if it had changed. It had appeared to her that the wetlands buffer had changed shape from 1996 to the current plan. This was marked exhibit K. He indicated that yes, in one spot it had been allowed to venture into the wetlands buffer and she referred them to Facilities Review conditions of approval September 15, 1999, page 5, criteria C. She read it, and showed that disturbance of the wetlands buffer was prohibited within the area of phase 3, 4 and 5 currently proposed for the parking lot addition. Mr. Duggan also indicated that delineation had been vested for five years which is basically unheard of since wetlands can change every two to five years. The applicant was required to maintain a 25 foot buffer zone as called on in the conditions for approval. She referred exhibit

C, Staff Report, March 27, 1996 on page 15 point 1, the required set back was required by the unified sewage agency of 25 feet in the wetlands. The applicant has proposed a foot bridge which would cross into the wetlands. Construction within the wetlands is regulated through the Oregon State Division of Lands and the US Army Corps of Engineers. Any further encroachment required approval from those agencies. To date, she could not find evidence of that approval. She then showed the change from 1996 to their current proposal, that it was venturing into the wetlands buffer zone.

Ms. Fisk felt that verbal conversations should be put in writing for approval, especially those regarding wetlands delineation agreements and agreements involving additional catch basins showing how many and where. She felt the applicant met only the bare minimum requirements and do not go above and beyond what was required, even if it were in their best interest. She felt verbal agreements put in writing would help assure that the plan is complied with and that there would be the best information available during construction process. It would also help the community monitor compliance. Also, as mentioned in the grading section, they felt the wetlands area would be adversely effected. There was the possibility that during heavy rain seasons, parking lot run off that contains gas, oil and other petroleum products would enter into the wetlands area.

Next, she moved on to the Development Code Chapter 40, Section 10, point 15.2.C design standard D. The approval of TPP 95009, the applicant is allowed to remove trees on the site with the exception of healthy trees in the preservation tract and the trees within the natural resource area. The key word is allowed, not required, to remove these trees. The applicant states that their plans reflect a parklike setting by maintaining a tree preservation tract. They wanted to see the applicant maintain the larger portion of the tree grove by incorporating their recommendation #4.

Ms. Fish referred to a couple of the Facility Review condition of approvals that were made part of the conditions of approval on September 15, 1999 for Board of Design Review 9900113. Condition of approval #6 was regarding landscaping, irrigation, need to maintain landscaping. She stated that the church uses very little irrigation and the trees and vegetation are very small and struggling to survive. Under Board of Design Review 3591, the applicant indicated they would be providing red maple along Weir Road. The trees currently there are not red maple. It has always been required that deciduous trees, where approved, shall have straight trunks, fully branched and a minimum caliber of 1-1/2 inches, a minimum height of 8 feet at the time of planting. Several of the deciduous trees along Weir and Murray do not have straight trunks, nor had the been adequately staked. There are also three trees that are under 8 feet. It stated that the landscaping was to be maintained by the applicant because it was a private facility. She referred to exhibit M and passed out colored copied photos. The existing landscaping and maintenance of existing plans is very minimal. Weeding and replacement of dead vegetation has not taken place which is not in keeping with the landscaping theme of Murray Boulevard. It does not add aesthetic appeal to the neighborhood.

She continued with Facilities Review condition #9 which included protecting the trees with fencing during construction. As Mr. Osterberg had mentioned, they had clarified the requirements of A9 and recommended that Board of Design Review 9900113 condition 9A be replaced by new Board of Design Review conditions 4, 5 and 6. They agreed with that recommendation.

In summary, Ms. Fish stated the master plan for the church encompasses the development of 24 acres. This would have a tremendous impact on the surrounding area and they wanted it to be a positive one. Due to the nature of the long-term multiphase approach approved with the conditional use permit, they felt that a great deal of care, attention to detail and quality needed to be placed on this project so that all phases are consistent with each other and the project, as a whole, would blend nicely with the surrounding area. They had a great deal of doubt in their minds that future development will be beneficial to the surrounding area due to history thus far. She quoted the paragraph that the Southwest Bible Church uses consistently on the majority of their documents and then stated that if their statement were true, they would not be appealing the decision in front of the Board of Design Review. She felt that the church did have the potential to be an asset, but to date they had not demonstrated that. It would not enhance the livability of the neighborhood because of the mass destruction of one of the most beautiful features on the property. They presently have privacy from the traffic on Murray Boulevard, but with the parking lot addition would be exposed to the freeway-like conditions from both a visual and sound perspective. They recognized land within the urban growth boundary is becoming more scarce and for that reason they needed to create an environment can coexist together without sacrificing quality. She felt that a change could be made to their plans without sacrificing the quality of the neighborhood. She reported this was a group of neighbors who had taken the time to do their homework, to find out what the requirements were and what was agreed to under the conditional use permit. Their neighborhood was just beginning development in 1996 and they were not there to have input into the process. They do have an vested interest in this area, they are part of this community and want to make the best of it. They take this matter very seriously and felt their concerns were valid.

Ms. Fisk stated they were asking the Board of Design Review to find a happy medium for both the neighborhood and the church and to help assure that the church will uphold the requirements placed upon them by the City of Beaverton. She referred to exhibit O and B, she had attended a couple of NAC meetings, she had presented her plan to the NAC and the areas of concern. The NAC had put in writing a letter of concerns that supports their decision to appeal. Out of 20 NAC members, three abstained, one was a member of Southwest Bible Church, one was a member of the Planning Commission and another gentleman is a developer in the City of Beaverton. Two people were unavailable, one was in Africa and another was out of town for an extended period of time. Other than that, everyone in the NAC supported the decision to appeal and none were opposed. After NAC had distributed the minutes from the meeting she had received a phone call from a woman in the neighborhood who had read the NAC meetings and was very concerned about this issue. Ms. Fisk read a letter written to the Board of Design Review by this woman who was unable to attend this meeting. It involved the similar concerns about the proposed parking lot.

Ms. Fish stated that she realized she had presented a great amount of information. Chairman Williams said they needed time to look over the information presented, and opened the discussion for questions.

Mr. Straus had some questions for Mr. Osterberg. He said the information was not easy to sort through, some of it seemingly on the surface, to be a matter of opinion rather than fact. He wanted clarification of facts that seemed to be in question. Did she know if there had been an approved change in the wetlands designation delineation from what was originally shown in

earlier application? Had the new configuration shown in this application from the church been supported by official documentation from the necessary agencies?

Mr. Osterberg said there had been no change. The City Engineer who was represented on the Facilities Review committee had determined that there was no need for additional wetlands delineation. The previous delineation had been accepted. There was a reference to his letter that he had originally sent to the applicant prior to the current application being submitted. He had advised the applicant of the possibility, but it should not be characterized as a requirement that somehow he could make. The City Engineer would be the person who makes that decision whether previous wetlands delineations are still valid and up to date.

Mr. Straus said there appeared to be a different wetlands boundary and buffer zone on the current application compared to what was on the previous documentation. It was fine if both of them meet the requirement, but the applicant has indicated that there is a difference. Perhaps she misunderstands that even though there is a difference, it does not necessarily mean that the current design is in error, it is a different variation on accepted delineation. Was what is shown on the plans accepted delineation of the wetlands? Mr. Osterberg replied that the City Engineer reviewed the information and did consider whether a new delineation would be needed and concurred that the delineation was still valid, a new one was not necessary.

Mr. Straus then asked what the parking requirement on this site based on the current built uses and how did that compare with the total number of parking spaces proposed with this new project? Mr. Osterberg said that right now with phase 3, there was a requirement of 381 parking spaces to be provided. The applicant has that. He believed that all 190 proposed spaces would be in excess of the minimum requirement. Mr. Straus asked how that related to City policies as far as provision of parking compared with alternative transportation. There has been a lot of policy developed lately on not providing more parking than is required in order to avoid encouraging additional vehicle trips. Mr. Osterberg said they had to keep in mind that a number of applications came in prior to some of the current thinking about parking. The current application was applied for during the current standards. There were no standards that said a certain number of excess parking spaces cannot be approved.

Mr. Straus mentioned that the applicant raised the issue about carpool spaces not being designated, did that have any relevance to this application, to the appeal? Mr. Osterberg said that the information that was handed out that night regarding previous requirements for carpool and vanpool spaces are under sections of Facilities Review that are referred to as technical and advisory notes. They were not conditions of approval, they are something that the City also prepares in addition to conditions of approval called technical advisory notes. Like the name implies, the City will give information and advice, a variety of other information given to an applicant often having to do with site development permit or other elements. In each case, it is the conditions of approval that are adopted as conditions. There were no adoptions of technical and advisory notes. He realized that some of the terminology used in the technical and advisory notes is not very clear and there is some information that describes interim guideline requirements. Carpool and vanpool spaces are required for buildings. There is nothing that says a parking lot in and of itself requires these. In both cases they are required for employees of businesses. So, there would not be any requirement for carpool or vanpool in the parking lot addition.

Mr. Straus mentioned that carpool and vanpool spaces for churches would not be of value as most parishioners are already traveling together. He then went on, asking Mr. Osterberg about the density of new landscaping proposed for the west boundary of the parking. In the plan that was provided there was reference to natural plantings, a list of vegetation; it seemed to him that with a large number of taller trees being removed, it would be appropriate for there to be a lot more larger trees, or trees that will eventually grow much larger to supplement the understory plantings being proposed. He was wondering if that had come up in discussions when they were going through this at the staff level? Mr. Osterberg said they had not discussed that. The applicant's landscape plan indicates that the trees would be fairly close the parking lot in some locations and at other locations further away. Of course, at all locations, the parking lot is outside of the significant resource area. It was not thought that the applicant should go into the resource area and try to re-vegetate with native species. It was not thought to be necessary in this case. Perhaps the Board has a good point and possibly denser plantings should be considered.

Mr. Straus indicated he would defer to the experts to suggest what is appropriate, but it seemed to him that it was an area where there could be some mitigation of the appellate's concerns about the loss of the larger trees. One thing that appeared to him that some of those larger trees were ones that had lost their lower limbs some distance from the ground over a period of time and they were getting as much benefit from the understory planting that was in there as they were from the trees themselves as far as screening was concerned.

Chairman Williams said that concerning the Douglas firs, he had some on his property and had a subdivision go in next door, immediately over the summer, all the understory plants which were under a great deal of shade, were suddenly exposed and they burned 30 or 40 feet into the forest and most were lost. Mr. Beighley agreed. Chairman Williams went on to state another issue were the trees on the islands, but nothing else.

Mr. Straus asked the appellate if she had made any effort to follow-up any of her concerns about the existing maintenance of the site through either code enforcement procedures or discussions with the church?

Ms. Fisk stated that she was fairly new to the process and getting advice from NAC and other people who had been through similar situation, she was just now discovering that Beaverton does have resources available that they could utilize, such as a mediation program. She contacted them and they indicated there was not enough time to get them in their schedule. As far as maintaining the landscape, weeding and pruning, she was not currently aware of her options to explore follow-up and enforcement by the City.

Mr. Straus said that any conditions of approval that had been established through the review process are basically subject to code enforcement through the City. The City has one or more code enforcement officers and if she felt that requirements of conditions of an approval had not been properly addressed, the proper channel would be the code enforcement officer. While the lack of maintenance by the church may give you the feeling that if they had not done it in the past, they will not in the future, that is not an issue that can be considered. Maintenance of landscaping is a fairly minor issue. He also noted that if the church had all the people that require these parking spaces, they can put them to work doing some maintenance around the place and that is the kind of negotiating that makes sense and get results. He asked her if she

had ever reviewed the master plan for the church and all of its property and what it could do or intended to do prior to the time she purchased her home? Ms. Fisk stated that when she purchased her home she was not aware that Southwest Bible Church owned all 24 acres. She lives a little further up on Obsidian Street and she was not made aware of that information. One of the reasons she did purchase her home in this area was because it had a really beautiful of the treed area overlooking the street, as well as when she stands in her back yard. She is on the higher elevation of Obsidian so that when she stands in her backyard she can overlook the entire neighborhood and she has direct view of the treed area. She was not made aware of this, however, several of the residents along 151st were made aware of this. They were told it would be about 10 years before the church did anything major. The church also has plans for an outdoor amphitheater which is a huge concern for a lot of people. Some people are planning the timing of their home sale around some of these events.

Mr. Straus pointed out that she did realize that she had an obligation to review these kinds of things before making that kind of purchase. It was her obligation to become aware of these things that were happening in the neighborhood. If she did not want to take the chance of losing the amenities that are adjacent to her when she purchases a home, she needs to understand what could affect those amenities and approval for the long range plans of the church is certainly one of those things. The matter is unfortunate, but it does not mean that the church has to change their approach to the way they were planning the property. He went on to state that the church has plans to build out phases 4 and 5 of the building and all the parking that goes along with it. Those things are ultimately going to be there, how does the delay or diminishing this piece of the parking effect how the long-term developing is going to impact her? Ms. Fisk replied that by constructing phase 5 parking when they are not even talking about construction of phase 5 building, she thought it did contradict what was approved in their conditional use permit. It would open up more of the treed area and on 151st they currently have two lots that are vacant and will remain vacant because they are a catch basin for the neighborhood and by removing the trees in the phase 5 area the entire neighborhood will have direct view to the traffic on Murray. It would be more impacted by this than if it were just phase 3. Mr. Straus pointed out that it would happen down the road anyway. It's not like this is something new that was not going to happen in the previous plans. It is just a matter of timing. Ms. Fisk said it does not coincide with the timeline they had laid out.

Mr. Straus then mentioned that there had been a number of suggestions mentioned as far as dealing with their need for additional parking lot. He said he lived a block away from Beaverton Christian near Allen and Wilson. They had expanded their parking lot twice and there are still times when those lots are empty, or not entirely full, and the cars line the streets all around because it's more convenient for someone to park on the street and walk across to the church than to park half a block away. They also have shuttle service from Highland Middle School that supports this. They have multiple shifts in the services and all the things you are talking about, and people are still parking in the streets. If the alternative to providing this parking on site is that people are going to end up parking on the street and walking, what would your preference be? Ms. Fisk said currently there were very few cars that actually park on the street. Most people park at the end of the landscaping island designated in the parking area. She would prefer people to park on the street than to build a new parking lot. She had observed that a great majority of their congregations arrives one person per car. She felt that if these people started carpooling, if an opportunity allowed for them to be rewarded by carpool parking, closer to the entrance, she thought people would start utilizing this.

Ms. Cannon noted that it was obvious that Ms. Fisk had done a great deal of work and although she admired this work, she thought that basing assumptions that someone would follow a time line that had been established as best as you can predict the future, it is not realistic. Things change. Putting this change off because their time line indicated one thing or another is not appropriate. Ms. Fisk stated that she understood that they could not predict the anticipated growth. However, she did not think that the rate of growth should be resolved by changing the parameter of what was agreed to in their phasic approach. Mr. Beighley asked if there was an aerial photo in the file? Ms. Fisk said she had one in her car. Mr. Osterberg said they did not have one, it was not required, the Board had seen them. Chairman Williams stated he would like to see how far the trees had grown.

RECESS was taken at 8:57 P.M.

RECONVENE the meeting at 9:10 P.M.

PUBLIC TESTIMONY:

VELLO KOIV 9830 SW 151st, Beaverton, OR 97007, stated he was a neighbor, his backyard was their backyard. He recognized the church's need. The first thing he did when he moved in was to let the church know what he was going to do with his property and he let them know he wanted to make sure whatever he did was not going to impact their property. He felt the church had a social obligation to be concerned about their neighbors. He did not get the impression they were. He did not feel it was socially acceptable to wipe out a large stand of trees that were going to be missed. He had seen some 50-year-old trees go down, they were gone forever, they are never going to get them back. There must be a way that we can coexist and not sit in front of a Board and haggle things out. That was disappointing to him. He had concerns about their expansion plans and whether or not their neighborhood would be livable. There were two houses on either side of him for sale. Prospective buyers have asked him about what was going on with the property behind them, and then they don't come back. He was concerned about property value.

Chairman Williams asked Mr. Koiv to mark on the map where his house was and to tell him how many trees were on the other side of the wetlands, between the neighbors and this property, he felt there were basically none. Mr. Koiv said that that was a fact. He looks at the area in the back of his yard every day and he enjoys it very much and he could not figure out why they don't expand the parking in that area so they could save a few trees. He himself is an Engineer, he makes plans and changes plans and could not understand why they could not change the plans. There was definitely a lot of room and their master plan calls for a bridge over the wetlands to allow access to that area. He thought it would be great some day when they made this area into a Christian retreat center. He was not too sure of an outdoor amphitheater, but why could they not provide some paved parking in that area now instead of mowing down the trees. It would require a very simple change in the plan and they would not lose anything in the end.

MARK JOHN HOLADY 9000 SW 149th Ave., Beaverton, OR 97007, marked the aerial map and stated that he stands by the letter he had written to the Board.

ROBERT LATTUS 9640 SW 151st Ave., Beaverton, OR 97007, marked the aerial map and stated he lives in the corner lot that is right up against the church property. He attends the Southwest Bible Church. The reason he bought the house was because it was adjacent to the property that he knew would not be developed for condominiums or the three- or four-story apartments that were built across the street and completely stripped. This value was tremendous in knowing how it would be developed. He also knew that the City had planned a through road going right next to the property, so that was part of his decision. The property behind his house was intended to be permanent, the trees would stay there. It is a benefit to the neighborhood, because it is permanent. The children in the neighborhood use the property. It is a benefit. He could not see the argument of property value decrease. He could certainly understand the amphitheater, but he believed the houses were not selling because they were overpriced, not because of plans. He said there were two developments that had gone up in the last two years next to their property. One was to the northwest where they, just last week, cut half the trees down but that was not appealed. There was another property where they built a three-story apartment building which is adjacent to the church and they completely provided no cover at all, all of it is parking lot and apartment. The church being there, the way they are developing it and the green space is a benefit to him and the neighborhood, in his opinion.

DONALD SHAW 15240 SW Sapphire Dr., Beaverton, OR 97007, located his property and stated he was a member of the church and lived in the area for six years. He stated that one of the reasons he and his family were attracted to Southwest Bible Church was that in his daily travels up Weir Road the landscaping was manicured and pleasant. He read a statement about why the parking lot would be a benefit.

VLADIMIR LURIE 15190 SW Basalt Ct., Beaverton, OR 97007, located his property on the aerial map and stated two years ago he bought the house because he liked it. He lived in Portland for 25 years because he likes green, he likes the rain. Each day he wakes up happy because he sees the trees. When goes to bed, he sees the view and he's happy. What will come tomorrow, he doesn't know. When he went into the forest by the church he saw a tree with a 32 inch diameter trunk marked to be cut. He could not express his feelings at that moment. He wasn't sure about property value, he didn't know, what was important to him was the quality of life, the trees. The traffic impact would be absolutely awful for their area. From his second floor he can see a little bit. If the trees will be cut, it will be worse. He believed it was very possible to find a solution for the Bible Church and the neighbors. When he was buying his house, he saw the churches in the neighborhood, he said "ah, nice, there are good people around me" but he needed the trees. He expressed his compliments to Ms. Fisk for her good work.

JAMES V. THIVIERGE 15175 SW Basalt Ct., Beaverton, OR 97007, marked the map with his location and reported he had been in the Portland/Beaverton area for about six years. He attends a large church in the Beaverton area that is in the process of adding on. For him as a Christian this was difficult. He was not standing against the church going forward, it was just the attitude of some of the people in the church. At his church, they sent out letters to people in the neighborhoods. They have even gone to the homes asking the people what they think of this and that. His church was concerned about the neighborhoods opinion and in the past the church has actually stopped building because of appeals. As soon as they start getting opposition, they stop. He could not understand what their true goal was, that as Christian, why he is sitting there appealing their goal. This is not necessary. They have the property, he can

see it in front of him. They could change some of their plans. It would not take much. They can keep those trees up, all they have to do is work with the people. All they have to do is work with the people but they have not shown any care or consideration. During the summer on Sunday nights they had services outside. He could hear it going on his back yard, it was annoying. When his wife said it was church, they did not say anything, but at the same time he wondered that there are people who are against the body of Christ and they have reason for it when people stand up and push. The gospel should be presented with love, don't get out in the street in yell. It shows a lack of concern for the neighbors. He did not understand why they had such an attitude. It hurt him to have to stand there against his brother like that. He wished they would realize that they could tear down the trees but they would burn souls. If you are not a Christian you cannot understand, but as Christians they should know, is it worth destroying trees to have agnostics in the neighborhood, perhaps they are thinking about being Christians but then they see what the church is doing, it could turn them off, make them angry. All it would take is a little bit of time, a little bit of effort, but change the plan. They could do it very easily. Everything that has been brought forward tonight, they may not have much to stand on against what has been done in the past. They could go forward, destroy the trees and build their parking lot. They could put in their amphitheater and then say whatever they want to say what it will do. He could guarantee, though, in the long run, they will not win because if one person turns his back, and they should know what he is talking about, it was not worth it. All he is asking is that they reconsider and work with the neighborhood and change these plans so that the trees will stand. He looks out in his back yard and sees these beautiful trees and one day they will disappear. Again, he just wished the church would reconsider their plans.

JOHN SOUTHGATE 7637 SE 31st. Ave., Portland, OR 97202 and

JOHN WALTER 9943 SW 57th Ave., Portland, OR 97219. Mr. Southgate stated he was with the Portland Bureau of Planning for 12 years. He was also on the Beaverton Planning Commission for a year. With him was John Walter from the church, on behalf of the church. The church had made modifications to the plans made in 1996. The plans the church had to expand the parking lot meets or exceeds all the development standards. In addition, the church had made modification to the plan in response to the staff, insurance, and meetings. The church is willing to accept all of the conditions as well as the new conditions. They wanted to make sure that they understood that there was a lot of people who support the church's parking lot expansion and rather than ask them to come forward and make two hours of testimony he asked them just to please stand and identify themselves as being in support of the expansion, 40+ stood. They were prepared to answer questions. They did not see these documents until tonight. They did not have written testimony but would answer questions.

Mr. Straus wanted to know how many of the people that stood in response to support of the expansion live either adjacent to or would be directly affected by the work that is being proposed, how many would be losing view, privacy or live within a couple of blocks of the church property? Four people stood up. He asked them to come up and mark on the map so he could see where their property was located.

Mr. Southgate said that after the proposed parking lot expansion, still more than 75% of the site will be either native habitat condition or some sort of open space condition. The church has planted over 200 new trees. The church certainly intends and wants to be a good neighbor. He had a map that showed what the landscaping condition will be after the proposed parking lot. He thought it made a point that the closest portion of the parking lot to any nearby residences

was 450 feet which was a city block. There is the delineated wetlands and the Douglas fir buffer between that and the parking lot. One of changes made by the church in response to staff concerns was to move the parking lot to the east in order to strengthen and enhance the quality of that buffer.

Ms. Cannon asked for clarification of the new area.

Mr. Beighley asked to Mr. Southgate further identify or describe what he meant by enhanced buffer.

Mr. Walter said there was a 25 foot buffer that stands outside the natural resource area. They were preserving that, they were planning not to touch that. In working with staff, he had realigned the western curve of the proposed parking lot to the east to ensure saving additional trees in the wetlands buffer and next to the wetlands buffer.

Mr. Beighley pointed out that when using the word "enhance" he saw additional plantings to go along with that to help put back the number of trees that are being removed. He was not certain that he saw all the replacements going back in the certain location.

Mr. Walter wanted to make clear that they had no intention of touching the buffer.

Mr. Beighley said they would have a problem with the existing understory once the parking lot edge had been identified and constructed. He felt that they would lose a good portion of them and felt that should be addressed as a separate issue.

Mr. Beighley asked if there was any reason, at this point in time, since they had basically moved into the phase 5 development area, was there an attempt made to sit down with the neighbors and ask them face-to-face open discussions about this? It seems really unusual, knowing that there would be this kind of outpouring of emotion with respect to this kind of development, that something more face-to-face including the neighbors had not taken place. Mr. Southgate said this was a type 2 as well and the church did not anticipate there would be opposition considering this was a pro forma based on the earlier approval.

Mr. Walter said he did not have much to add to that except to say that they did consider a lot of the things that people were suggesting here tonight, in terms of placing the parking in another location. Chairman Williams asked if they had considered putting the parking area too far west?

Mr. Walter said it was an issue of grade there and size. The athletic field is somewhat close to a standard size but it would not fit in that portion of the property. In the original concept in 1996 they looked at grade and there is quite a substantial slope.

Mr. Straus said that apparently their projected schedule of development had changed somewhat, or at least the population of the congregation had changed more rapidly than they had anticipated, what changes were they expecting in the timing of future developments, that may have been projected for further off in the future? Mr. Walter said they had not looked at that specifically but some of the projections are probably still pretty close. He appreciated what Ms. Cannon had to say about inherent uncertainty of growth projections. They wanted to be conservative and were happy to be having this "problem" where growth is happening faster than anticipated. Mr. Straus then asked to what he attributed the need for more parking compared to

the need for the other facilities. Mr. Walter stated that that was a good question and he was not sure how to answer that. They made projections, they were trying to alleviate overcrowding. What governed their decision was economics, what was affordable and budget-wise.

Mr. Straus asked what alternative options did they have for transportation. Mr. Walter said they did not have a shuttle bus program at this time, they cannot afford that. Public transit is available. He did not know what portion of the congregation uses public transit on Sundays. He knew they had some students using the public transit during the school week. He did not have statistics for carpooling but he could say that half or somewhere around half of the people who attend with more than one person per car, it is probably a bigger percentage than that. Mr. Walter said they had tried to comply with all the conditions and met what was required.

Mr. Osterberg wanted to clarify issues that had been raised. He advised the Board that Ms. Fisk and the opportunity to provide rebuttal testimony. He wanted to keep in mind that when the Planning Commission approved the conditional use permit, the Staff Report states that the Commission was well aware that the timing of the phases was at the applicant's discretion. Staff had reviewed the issues of the phase boundaries and their purposes. Because the phase building was at the applicant's discretion, they cannot put restrictions on what portions of the phase that the applicant can go forward with. He mentioned there was testimony that there should not be phase 5 parking without phase 5 building, but there is no requirement for that from the Planning Commission. The issue raised about the dedication of right-of-way on Weir Road and why was this not required with this parking lot addition. Dedication and street improvement such as the left turn lane that had heard addressed are not required with parking lot additions. Parking in and of itself does not generate new trips. Parking is not the primary use of the site. Church buildings and increasing instruction activity for building is the primary rule of thumb that perhaps street dedications or street improvements are required. Here though there is no requirement for that. There was a discussion about these improvements, in the future they will look at these things with other buildings, and may see the need for a left turn bay. However, what they have in the record right now is that will occur with future phases beyond stage 3 building phases. The City Engineer deemed that a new wetlands delineation was not needed. On page 10 of the supplemental statement that was handed out by Ms. Fisk it indicated that the conclusion that was reached was simply that they had to make sure that a 25 foot wetlands buffer would be provided. In fact, the applicant's plan shows that they will meet that. During the review process the church's plans were altered a little bit to pull the parking lot even just a little bit more away from the wetlands buffer. There was a concern that there could be some unintended secondary impacts. He stated he had contacted the church and they made those changes so that it would not somehow indirectly damage a tree that had its roots within the significant resource area. He felt they had been extra diligent about protecting the 25 foot buffer by having the applicant go beyond the 25 foot buffer.

Mr. Beighley noted they were pushing the 120 day envelope. Mr. Osterberg agreed, they were, due to conjunctural Board of Design Review and Council hearing dates. He did have a concern to make a Council hearing date that would provide for a potential appeal on this Board's decision that could go to the Council on December 6, 1999. With that, they should be able to squeak in just before 120 days. He urged the Board to make a decision tonight if possible unless the applicant feels they need additional time to revise their plan in some way.

Mr. Straus said their next meeting was November 18, 1999 and asked when was the last date to get on the Council calendar for the December 6, 1999 meeting? Mr. Osterberg thought the Board may be wondering if they had the ability to continue the matter to the 18th, yes, they could. They could provide public notice with a potential appeal hearing on December 6, 1999 just in case. They could do that to let the Board continue the hearing until the 18th.

Mr. Straus wanted to make sure that a continuance tonight would not preclude staying within the 120 day period.

Ms. Cannon asked what the purpose of his line of questioning was.

Mr. Straus answered that the concerns that had been raised, both through public testimony and those on the Board is that it may be appropriate for the church to offer additional mitigation for the loss of the trees that are coming out as part of their proposal over and above what they had already included in their design. If that were the case, it would be necessary for them to either design it tonight and get the Board to approve it or for the matter to be continued to give them the opportunity to do the additional design work necessary to meet the concerns since they are not in a position to approve the project or deny the appeal on the basis of some future submittal to staff.

Ms. Cannon wanted to clarify if he did not want to do an up or down vote tonight based on the facts and information received and did he have a requirement that there would be additional landscaping required? Mr. Straus felt that there were legitimate concerns that had not been adequately addressed that are not necessarily unworkable. In other words, this is not a clear black and white situation. There is room for additional mitigation to be provided that may address the concerns expressed and if the church is willing to explore that additional mitigation, it may allow the Board to not proceed with the support of the appeal. In his mind there were arguments both ways on this matter that he felt were legitimate and he really had not received much feedback from the church as to whether they were willing to go some additional distance to address those concerns. One of the things that made sense to him was it would be to have some additional large scale trees planted in a manner that would provide screening in areas that would be losing screening that were not being accommodated in the current design. If the church is interested in pursuing that as a way of avoiding the appeal being supported, it would be good for them to know what the church has in mind. That may require some additional time for them to prepare that information and that would result in their requesting a continuance.

Ms. Cannon stated she did not get any indication from the church that they were interested.

Mr. Straus replied that he did not feel it was raised with them directly. The Board listened to what they had to say and now they were getting to the point that a decision, yes or no, would be made and all the parties need to take the risk of whatever the decision was going to be unless they wanted to offer other ideas. He felt that with additional mitigation he would feel more comfortable denying the appeal and supporting the design that had been offered. Without additional mitigation he was not fully decided at this point. He wanted to hear what the church had to say about it. They may need more time to do that. If they are not willing to do that, and they do not want to continue and they want to go with whatever the Board's decision would be, that is fine too but there is the possibility that the appeal would be supported by the Board which would effectively turn down their application.

Ms. Cannon asked to comment on that after she heard from the appellate.

Mr. Osterberg said there was a question that was not directly asked of the church. He recommended that the Board make this very clear and ask the church representatives about this issue and suggested they do that now so that the appellate had the opportunity to address everything in her rebuttal testimony. As far as the 120 day time schedule, they need a request for a continuance and it is up to the church and say whether they agree with this, some small amount of time and continue accordingly, they would need a waiver of the 120 day time line.

Chairman Williams asked Mr. Southgate and Mr. Walter if they wanted time to talk this over. Mr. Southgate said he thought the church was open to hearing specific additional mitigation.

Chairman Williams said that they had tight time restrictions, the Board could not actually propose that the church put 15 feet high Douglas firs at this location, they were not allowed to do that. What the Board could do would be to give the church a general outline of what they would be looking for and give several possibilities of how that might be accomplished. The Board wanted to give the church latitude to resolve this, because a couple of them are architects and landscape designer, they knew the church had other options and they knew that there were trade offs. The general idea is what could they do to maintain as tall a buffer, as thick a buffer between this neighborhood and the street. A trade off may be keeping the parking lot as it is and on the other side of the wetlands plant some good sized trees.

Mr. Walter said that that had been done. They had showed a few trees along that western property line. What is there right now are 20 feet high Douglas firs that were planted so many years ago. He mentioned that earlier one of the folks asked about plans for that part of the land west of the wetlands and what they would not want to do would be to plant trees that under the 1996 conditional use plan that would later have to be removed. In planting along the western boundary, they thought they were accomplishing a couple of things. They were willing to listen to suggestions about additional buffering and plantings. Their original concept of the eastern boundary of the wetlands in keeping those materials native, was to try to match as closely as they could what was in the wetlands today so it would seem less invasive all the way up to the parking lot line. There were comments earlier about whatever goes in there, would it survive? There is a certain amount of sun that gets to that ground now. If they get taller they might block off some of their view of this natural resource center. Chairman Williams stated he understood.

Mr. Walter wanted to clarify that the trees along the western boundary that had been planted, they thought there was 10 to 15 trees; they would be willing to willing to listen to what the neighbors had to say. That was reasonable.

Mr. Beighley commented that with removing a significant amount of conifers, and from his vantage point he would like to see some groupings of conifers reestablished along the west edge of the buffer to the wetlands and down the hill from that, and create some mass planting rather than lining them up like street trees. Try to bring back some of the natural characteristics. That was the concern, they were losing the tallness, it will take time to reestablish itself.

Mr. Southgate asked if there was a way to make that a condition, the number of trees? Chairman Williams said they had some latitude but this went way beyond what the Board or the staff felt comfortable in accepting. It was just a general outline.

Mr. Southgate said to get closure they could hand draw a plan right now for where those groupings would be on the west side of the delineated wetlands. He wanted to bring this to a closure to avoid another four-hour hearing in two weeks. Would that be specific enough?

In response to Chairman Williams' questions, Mr. Osterberg stated this discussion would lead to a condition of approval where perhaps they were going to state a number of trees and a tree species. They could give a range of tree species. Another element would be to describe the size at the time of planting which was pretty important. Spacing was another issue. One way would be supplement the condition by having a plan marked up, one revised plan that would show some clusters of trees that could be adopted as an exhibit of the Board's decision. It had to be fairly detailed.

Chairman Williams noted that there should be some notation about sun and viability of the open plant. He asked if there was irrigation on the property? Mr. Walter said that all the proposed landscaping as well as existing landscaping is irrigated. The only portion under this current proposal they were thinking they would not need to irrigate was along the eastern margin of the natural resource area, the western edge of the parking lot. After what they were hearing tonight, he understood that that might not work. The plantings that they were willing to place, the three groupings of whatever species along the western boundary of the wetlands, what he thought was coniferous trees do not require irrigation. The plantings along the eastern border of the wetlands, west edge of the parking lot where they would have irrigation piping available. They are agreeable to this. They could note that and submit it at this meeting. They were trying to fill in the gaps so there was more uniform coverage as you look from west to east.

Mr. Williams said that while this discussion went on, they had another item on the agenda which needed to be finished off as well. This project was tabled for a few minutes.

D. BDR99042 - GRAMOR SERVICE STATION

Request for Board of Design Review (BDR) approval for a Chevron Service Station at the previously approved BDR 99035 Gramor Murray Scholls Development. The proposed service station occupies approximately .36 of an acre at the southwestern corner of the 21-acre site located at the northwest corner of SW Murray Boulevard and SW Scholls Ferry Road. The proposed access points were also previously approved through BDR 99035, one on SW Murray Boulevard, and three on SW Scholls Ferry Road. The Design Review request includes review of the gas station canopy, convenience store, and 12 parking spaces. The service station proposal is on Tax Lot 800 of Assessor's Map 1S1-32DA, and is zoned Town Center – Sub Regional (TC-SR).

Mr. Colin Cooper, Associate Planner, said the proposal was to build a six pump service station and an approximately 2100 square foot commercial convenience store. The proposal requires both a conditional use permit as an auto service minor use and a design review type 3 as a new structure. The Planning Commission on September 15, 1999 approved the conditional use permit and at that time included a recommendation to the Board to please review circulations specifically to consider any possible adverse effects of stacking into the access isle that

surrounds the convenience store and pump islands. The applicant had provided to the Board a memo from Carl Springer of DKS that reanalyzes that adequate stacking is provided on site and the City staff has reviewed the memo and the site plan again and found that there is adequate stacking and there is enough room between the pump islands, not only for each car at each fueling station, but also for a car to pull out and pull through, a three car width. There was good maneuverability. Another requirement from the Planning Commission was that the applicant provide a hardscape at the north elevation of the convenience store. That hardscaped area was a concern for safety because there was no transparency on the northern elevation. The condition was to remove the hardscape and replace it with a landscaping area. That plan was attached to the memo. Additional issues included light, noise and visual continuity to the rest of the Gramor Scholls Town Center. The building is brick to match the center. The roof was the same material. They changed the canopy standards to make them brick. The lighting had been recessed, both the fixture and the lens. Staff is recommending approval. He had spoken with the applicant, they were in agreement with modification of some conditions.

Condition #16 – Gramor wants to delete the word "no" and begin the sentence by saying "any sign, including A-frame signs" and then continue to the end of that sentence and instead of ending the sentence with basis, the sentence would read "shall be reviewed according to section 60.30 signs". Then in condition 21 - they would insert the number light levels do not exceed the 35 candle measurements to provide specificity. They specifically asked Chevron to use that as the target. Condition #16 - these conditions really reflect a little more certainty. They wanted to make sure that when the entire planning staff is vaporized and a new implementing group comes along that they would have some certainty.

Mr. Straus asked about condition 16, asked for clarification and Mr. Cooper obliged. Mr. Cooper reminded the Board that they had previously approved as a part of the Gramor Murray Scholls Town Center planned an eight feet masonry fence on the western property line of the larger site in large part to ameliorate the negative effects of headlight glare and noise.

APPLICANT:

MATTHEW GRADY 9895 SE Sunnyside Rd., Clackamas, OR. He said that they had been examining the Staff Report as well as conditions and concurred with the staff's suggestions as they collaborated with them. He had a full team with him and introduced them and stated that he could answer questions.

HOWARD KIMURA 1550 140th Ave. NE, Ste. 100, Bellevue, WA 98005, provided an overview of the site. He showed the features and details of the materials and architecture.

Chairman Williams commented that it looked good and commented that there were no cards from neighbors. With no comments from staff, closed the public portion of this hearing.

Mr. Straus MOVED and Mr. Beighley SECONDED a motion to approve BDR99042, GRAMOR SERVICE STATION, based on the testimony, reports and exhibits presented during the public hearing on the matter and on the public background facts, findings and conclusions found in the Staff Report dated October 28, 1999 including conditions 1 through 22 with the following modifications:

Condition 16 shall be revised to read as follows: delete the first word "no" and its place add "any signs, including" and at the end of that sentence after the work basis, add the words "shall be reviewed according to section 60.30".

Condition 21 to be revised: add the number 35 prior to words foot candle.

The question was called and the motion CARRIED unanimously.

Chairman Williams then stated that they would continue with the church parking lot.

C. **APP99-00015 SOUTHWEST BIBLE CHURCH PARKING LOT** (Continued)

Mr. Southgate stated he was concerned that the master plan had called for an amphitheater and he wanted to make sure that the northern most of the three groupings did not impact that.

Mr. Walter said that, just to clarify about the amphitheater, and the hillside that was addressed earlier and about why they didn't put the soccer field there, he stated and it was a natural amphitheater and as such it would not be designed.

Mr. Straus said the trees would provide a nice backdrop for the stage.

Mr. Southgate asked about a certain density of planting recommendations and Mr. Beighley replied that someone had done something there already and hopefully they would have a handle on that. The other comment about the vine maple, he would like to see multi-stem, not a single trunk, natural looking material.

Chairman Williams asked if the vine maple was the tallest thing in the understory edge and Beighley said yes, along with the firs that were remaining. Mr. Walter wanted to enter this into the record.

Mr. Beighley read the suggestion, adding three groupings, in this case being Douglas fir 8 to 9 feet tall, 10 to 12 foot on center in a triangular spacing and not lined up like soldiers, a more natural planting to help fill in some of the voids created when this happens. On the east parking lot, west edge, it was suggested that they add multi-groupings of vine maple along the edge with understory of salal and sword fern.

Ms. Fisk asked what the tree count would be and Mr. Straus answered seven.

Mr. Osterberg reminded the Board that the person providing rebuttal is limited to the testimony presented here in writing and verbally and in rebuttal they do not have the opportunity to raise new issues that had not been considered earlier.

Ms. Fisk thanked everyone for putting in the time that they did. She felt they were making really good progress. She wanted to make known that they were not opposed to the church's growth. They were happy that they were promoting good Christians in this area, however, they were opposed to how they were going about it. They felt that there were other creative ways to work through this solution and wholeheartedly supported continuing this over. They felt it was important that the church should spend some time and diligence around what they are

recommending and incorporate that into their plans. If they did hold this over, she did not see it going into another four hour session. She thought it would pretty much be a slam dunk. As far as the phasing sequence, she would like to gain a greater understanding of why they were allowed to construction, it was not clear to her. She wanted to know that if carpool parking is tied to the building, then why was it not met when phase 3 building was constructed. They do not have carpool parking, it was a requirement. She pointed out that a large majority of the congregation came and went one person per car. She had trouble with shoving off to the side the suggestions in the technical and advisory notes, why would they even have them at all? On the wetlands delineation, she stated that when agreements are made verbally and not made part of the file and put in writing, it is very confusing to the public to understand what is going on here. She questioned if the Unified Sewage Agency had been contacted regarding a change in the wetlands to accommodate the new parking proposal; had the US Army Corps of Engineers been contacted? She did contact the agency, indicating that she was appealing this parking lot proposal and they said they were not at liberty to discuss things under appeal and that she should refer to Mr. Osterberg.

She was sorry Mr. Duggan was not able to come to the meeting. She still had concerns about the drainage and it seemed that this had fallen by the wayside, she wanted to see their issues addressed. The concerns with the understory could be achieved if the church would consider their recommendation #4, moving the boundary of the parking lot to the existing nature trail. The maps that they provided showed that the Douglas fir along the western edge of the proposed parking lot are beefed up. Some kind of fluffy boundaries labeled as Douglas firs when Douglas firs do not actually exist in there. The only Douglas firs in there are those marked by an asterisk. She said they were making more of it than it really was. The church had done a good job of marking its trees and this did not coincide with the illustration that they provided tonight with all the additional boundaries where trees do not exist. This is a very beautiful, multi-tiered effect and what they are talking about is removing fully mature, evergreen trees and replacing them with smaller trees. They had planted trees as indicated along near the property line between their property and the homes on 151st. However, several of these trees have died. There is no irrigation in that area. They are maintained by hand watering and they did not survive. She went to the sketch board to show what effect they would see by providing a 10 foot tree instead of maintaining the existing landscape. She showed that behind 151st there was a steep backdrop down to the church's property. This backdrop is in the neighborhood of five to six feet. The church had provided some evergreens along the property line in this area and those are the evergreens that quite a few of them have died. Currently, the height of the existing ones, some of the tallest one reach about a foot above the elevation of this area. The property slopes down where the wetlands area is and this is where deciduous trees reside. She showed the tall evergreen trees that they could see in the plan and the parking lot. She then showed Murray. When the people living on 151st are looking out their windows or sitting in their backyards, by removing the tall evergreen trees, they will have full view to what is going on on Murray. If they plant 10 feet tall trees there, it is going to take a long time to reach maturity. She was glad that the church was willing to work with them on some of these issues, it was what they had hoped for. She wanted to see the church save more existing trees and incorporating some of the recommendations they had made that evening. She was concerned that along the western edge of the parking lot where the natural landscaping is to remain intact, they do not have irrigation provided in this area currently and if they are going to put plantings in, she wanted to see that irrigation be required in conditions of approval.

She stated that this area was absolutely beautiful and it was just one of those things you need to see to appreciate and she did not know if any of the Board had had the chance to do a drive by, or had had a chance to walk the property. If not, she strongly encouraged them to do so. She wanted them to see exhibit N, the picture of the trees and deciduous wetlands area.

Chairman Williams asked about photos and Ms. Fisk said to make them part of the record. He then asked for any final questions of the staff.

Mr. Osterberg commented regarding the Unified Sewage Agency standards, the City administers USA standards. They are a separate review or independent review by USA is not required. The City administers those standards as part of their agreement with USA. Those standards generally relate to water quality and erosion control. Keep in mind that Facilities Review conditions B1, B21 and 24 already describe some elements of that review and those standards that have to be met. He also mentioned that they had had some additional exhibits submitted since the time that the original Staff Report was written, and drawings they have that the Board would consider adopting, this would be exhibit 27.

Chairman Williams closed the public portion of the hearing.

Mr. Straus asked if they wanted to proceed with discussion.

Ms. Cannon wanted to be sure to make the public aware of all of the requirements that they had added to accommodate the concerns of the neighbors. When the Planning Commission and the Design Review Board makes a commitment on a conditional use permit on a master plan, and the political and environmental climate changes, she did not think they could renege on their word. When the word has been given, that is what the City did in 1996 and they had to live up to that. If the person who has been given that word, agrees to do additional things voluntarily she felt it was good and helpful. She recommended the church spend a great deal of time doing community outreach. They do it for the church to increase the members, maybe the neighbors would appreciate that also.

Mr. Straus MOVED and Mr. Beighley SECONDED a motion to deny APP99-00015, SOUTHWEST BIBLE CHURCH PARKING ADDITION APPEAL, based on the testimony, reports and exhibits presented during the public hearing on the matter and on the background facts, findings and conclusions found in the Staff Report dated October 28, 1999, and that there are no conditions for the appeal item.

The question was called and the motion CARRIED unanimously.

Mr. Straus MOVED and Mr. Beighley SECONDED a motion to approve BDR99-00113, SOUTHWEST BIBLE CHURCH PARKING ADDITION, based on the testimony, reports and exhibits presented during the public hearing on the matter and on the background facts, findings and conclusions found in the Staff Report dated October 28, 1999 including conditions #1 through #6 with the additional conditions.

Condition #7 - Additional landscaping shall be provided as shown on exhibit 27.

Condition #8 - Irrigation shall be provided for planted areas between the west edge of the parking and the wetlands buffer.

Condition #9 - Trees to be planted to the west of the wetlands buffer shall be maintained for a period of two years or two growing seasons, whichever occurs first. Any unhealthy specimens shall be replaced.

The question was called and the motion **CARRIED** unanimously.

The meeting **ADJOURNED** at 11:25 p.m.